Obtaining Civilian Personnel-Technical Representative Accreditation for Contractors in Italy

DoD Contractor Personnel Office

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Topics

- **Civilian Personnel status basics**
- **TR Accreditation Process**
- **Comprehensive Review**

Why Contractor Civilian Personnel-Technical Representative Status?

- **Provides contractors status similar to civilian component**
- **Basis in Italy: "Shell Memorandum," 1995**
- **Benefits:**
  - **Income is exempt from Host Nation taxes (more on that later)**
  - **Receive logistic support (i.e., BX, Drivers License, MWR)**
  - **Saves the USG money on contracts**
  - **Increases USG contractors ability to acquire and retain high quality employees**
- **Helps DOD, contractors, and individual contractor employees**

Basics of Civilian Personnel Status -- Italy

- **US-Italy "Shell Agreement" of 1995 covers "Civilian Personnel"**
  - **"Civilian Personnel": Persons in Italy who are closely affiliated with the United States Armed Forces and under their authority, but not directly employed by them**
  - **May be treated similarly to members of "Civilian Component"**
  - **TRs are part of "Civilian Personnel"**
- **Passport requirements:**
  - **Must have "missione visa" before proceeding to Italy**
  - **Must get "missione soggiorno" once in Italy**
  - **"Ordinarily resident" issues quantifiable ("yes/no" issues)**

History of Civilian Personnel Status -- Italy

- **Before mid-2004:**
  - **Each component had separate process**
  - **SJAs generally involved, but only after contractor employee in country**
- **After mid-2004:**
  - **New Tri-component regulation on "civilian personnel" (Feb 04) revises process**
  - **Annex to Tri-component Regulation published Jul 04 provides details for contractors, other "civilian personnel"**
  - **US Sending States Office, Italy (USSSO) has oversight of process**
    - **USSSO is EUCOM legal arm in Italy, DOCPER is "back-office"**
    - **USSSO/DOCPER needs to control visa issuance process and ID card facilities**
- **Authority: EUCOM CofS designation memo, Aug 04**

New TR Accreditation Process

- **DOCPER reviews all contracts and TR applications**
  - **Forms for contract submission, TR application up on DOCPER web site**
- **New applicants:**
  - **DOCPER review, recommend approve or deny**
  - **USSSO signs approval/denial letter, sends to COR**
  - **If approved, applicant proceeds to Italian consulate nearest home**

    (NOTE: Per USSSO request, consulates instructed by Italian Ministry of Foreign Affairs that only USSSO signature acceptable for issuance of "missione visa")
- **Existing TRs in Italy:**
  - **DOCPER review, issues approval/denial letter**
  - **DOCPER to conduct "Comprehensive Review" (similar to "Bottom-Up Review" in Germany)**
- **DOCPER decisions not final, subject to USSSO review**

Comprehensive Review

- USSSO/DOCPER will conduct Comprehensive Review (CR) of current TRs
- Purpose:
  - **Re-assess the status of all individuals currently accredited as TRs**
  - **Establish the baseline database of TRs in Italy**
- Requirements: Register the contract and the TRs
  - **Forms on the web at http://www.per.hqusareur.army.mil/cpd/docper/italy/forms_italy.htm**
  - **Contract Registration**
    - Designation letter of the COR
    - Copy of the signed contract document (must include the period of performance)
    - Copy of the Statement of Work (SOW)
    - Copy of all TR Job Descriptions
    - Contract pages indicating Individual Logistics Support (ILS) is authorized
  - **Application for TRs**
    - Copy of the TR job description for which applicant is applying
    - Detailed resume
    - Employment contract (job offer letter)
    - Photocopies of relevant tourist passport pages

Timeline and Follow-up

- Contract accreditation and TR applications due by 17 Jun 2005.
- The CR may result in de-accreditation of TR status through:
  - **Failure to submit the required information will result in termination of TR accreditation**
  - **No *missione* visa or no *missione soggiorno***
- Process for de-accreditation of TRs:
  - **USSSO will notify component when determination made**
  - **Component will oversee de-accreditation of contractor employees**

Frequent Issues in Italy

- **Individual Logistics Support not in contract**
  - **Per tri-component directive, ILS must be specified in contract**
  - **DOCPER accepts e-mail from contracting officer that contract mod forthcoming**
- **Qualifications:**
  - **Some TR requirements too low - HS degree, or GED**
  - **“Warehouse workers” and similar blue-collar work out**
- **Contractor employees come into Italy with ID cards from elsewhere (no mission visa)**
- **Service Members leaving service**
  - **Being hired while on terminal leave (inconsistent with NATO SOFA)**
  - **Must be completely separated (DD 214 required)**

Conclusion

QUESTIONS?

Back-Up Slides

DOCPER Organization and Responsibilities

- **Created in 1998 as single office for accreditation of contractors in Germany. Added Italy in 2004.**
  - **Germany Executive Agent (Dir. of Defense Procurement, Sep98)**
  - **Italy ("back-office" for USSSO Rome, EUCOM CofS memo, Aug04)**
- **Funded by Army at 12 positions**
- **Team structure: 1 Management Analyst, 1 Management Assistant**
  - **Germany Teams (4 x 2 people)**
  - **Italy Team (3 people, includes 2 management assistants)**